1945.

File No. O Cotton Control / 45

A **BRANCH**

Subject:— Opinions under the Bombay Cotton Control Act, 1942

File No. O Cotton Control / 45

Gen. 104 e.

3'39-A

C O N T E N T S.

Legal Department File No. O. Cotton Control/1945.

S.No.	Compilation No.	Subject	Pages.
		Opinions under the Bombay Cotton Control Act, 1942.	52
1.	O.No. 3731 15-5-45	Question whether an admixture of standard variety of cotton grown during two different seasons in the same areas can be prohibited under the Bombay	

NKB 18/7

PHB 18/7

Office of the R.L.A.

The question raised for the consideration of the R.L.A. is whether an admixture of standard variety of cotton grown during two different seasons in the same area can be prohibited under the Bombay Cotton Control Act, 1942.

"Prohibited variety of cotton" for any area as defined in clause (d) of section 2 of the Bombay Cotton Control Act, 1942 means the variety of cotton the cultivation of which is prohibited in such area under sub-clause (ii) of clause (a) of sub-section (2) of section 3. Under clause (e) "standard cotton" for any area means the variety of cotton the cultivation of which is permitted in such area under sub-clause (i) of clause (a) of sub-section (2) of section 3. under clause (a) of sub-section (2) of section 3 Government is empowered by notification to

(i) fix the variety of cotton the cultivation of which is permitted in such area

(ii) prohibit the cultivation of any other variety of cotton specified in sub-clause (ii) with any standard cotton in such area,

(iii) prohibit in such area the mixing of the variety cotton specified in sub-clause 'ii) with any standard cotton, and

(iv) prohibit or restrict in such area the possession or use of or trade in the variety of cotton specified in sub-clause (ii) whether or not mixed with any standard cotton.

It is clear from sub-clause (ii) that what Government can prohibit is the admixture of the prohibited variety of cotton with the standard variety cotton and not the admixture of the standard variety of cotton grown in two different seasons, which cotton would not be of tow different varieties. Consequently it would not be competent for Government to prohibit the admixture of

Consequently it would not be compten ofr Government to prohibit the admixture of the standard variety of cotton grown in two different seasons.

Id/- P.N.M. 15-5-45

Remembrancer of Legal Affairs.